

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

04 JAN 29 PM 4:14

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CRIMINAL No. 03-0568 WJ

CHARLES ANTHONY ROYBAL,

Defendants.

**EMERGENCY MOTION TO QUASH SUBPOENA DUCES TECUM SERVED
ON JANUARY 28, 2004 TO THE RECORDS CUSTODIAN FOR THE
BERNALILLO COUNTY METROPOLITAN COURT TO APPEAR WITH
REQUESTED DOCUMENTS ON FEBRUARY 2, 2004**

COMES NOW the Bernalillo County Metropolitan Court (hereafter "Movant") through New Mexico Assistant Attorney General David Tourek, and pursuant to Fed. R. Crim. 17(c)(2), respectfully requests that this Court grant its Emergency Motion to Quash Subpoena Duces Tecum.

On January 29, 2004, counsel for Movant attempted to get Defense counsel's position on the Motion, but was unable to get his position at the time the Motion was filed. Due to the nature of the Motion, it should be presumed that the Motion is opposed.

WHEREFORE, the Movant respectfully requests that this Court grant its Emergency Motion to Quash Subpoena Duces Tecum issued by Defendant and order all other relief that this Court deems just and proper.

Respectfully Submitted,



David Tourek
Attorney for Movant

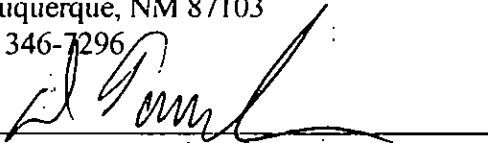
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CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing pleading was faxed and mailed by U.S. Mail, postage prepaid, on January 29, 2004 to:

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DAVID TOUREK